

REMARKS

The above amendments are submitted along with the following remarks to be fully responsive to the Official Action mailed June 14, 2005. It is further submitted that this response is timely filed within the shortened-statutory period commencing from such mailing date as extended by the one month request for extension of time filed herewith. Reconsideration of all outstanding grounds of rejection and allowance of the subject application are respectfully requested.

In the Official Action, the Examiner has now required that Applicants furnish a drawing under 37 CFR 1.81(c) as the subject matter of the application is capable of being illustrated to facilitate understanding of the present invention. Applicants note that the requirement made by the Examiner is directed to an application informality as set out in MPEP section 608.02 and does not render the subject application incomplete. In this regard, Applicants assert that the application, as filed, was complete in fully and adequately disclosing the claimed invention and that the attached drawing including a new Fig. 1 is submitted merely to facilitate understanding of the present invention to the extent aspects of the present invention admit of illustration. No new matter is presented within the newly submitted Fig. 1 or within the text inserts set forth above in the amendments to the specification. Support for the features of Fig. 1 and the above specification text inserts is found as follows.

On page 12, lines 21-27 of the subject application, structural elements are defined and include, in particular as relevant to new Fig. 1, the different elements including multiple walls, floors, ceilings, doors, windows, vents and components thereof. On page 18, lines 8-21, enclosures are described made from the barrier films of the present invention including the use of temporary walls or supports and critical openings are described including doors, light switches, windows, vents, outlets, and the like. An example of a room is described in this section of the specification as a non-limiting illustration of an enclosure. Examples 2 and 4 of the subject application specifically describe a room preparation including the use of barrier sheets on walls and floors and covering critical openings for ceiling abatement. Working spaces are defined on page 13, first full paragraph. In the example described starting on page 19, line 6 through the bottom of page 20, a ceiling is noted as a working surface (page 20, line 29) and walls and floors are covered by overlapping methods of adhering the barrier sheets to the surfaces. Horizontal sheet alignment is discussed along with wall overlaps and the floor covering is described as also

adhering overlapping sheet regions and further extending the leading edges of the sheets up the wall from the floor to adhere to and overlap the wall sheets. The use of fully adhesive coated pieces of the barrier sheet to cover and surround critical openings like outlets is described on page 19, at lines 7-13. The holding systems of the barrier sheets are also described as comprising adhesives that may be provided in adhesive zones including edge zones and intermediate zones on page 17, first paragraph. On page 23, a barrier sheet embodiment is specifically suggested including adhesive zones on both lateral edges and an intermediate zone on one major surface of the barrier sheet. Based upon at least these specific references in the subject specification, it is submitted that all aspects of the present invention that are illustrated in new Fig. 1 and within the inserted text to the specification are fully supported within the original disclosure. Acceptance of the specification inserts and new drawing including Fig. 1 as presented by this amendment are respectfully requested.

Also, in the Official Action, the previous prior art rejections of record from the earlier Official Action have been repeated. In this regard, the Examiner has further stated in response to Applicant's response filed 6 April 2005 that arguments presented could not be considered since a drawing was needed to further understand the arguments made. As such, Applicant's arguments are incorporated herein for the Examiner's consideration as Applicants believe the presently pending claims are allowable over the prior art of record for at least those reasons. Applicants note, however, that the section 112, second paragraph rejections of record in the earlier Official Action have been overcome.

As to the prior art rejections of record, it is submitted that presently amended independent claims 1, 21 and 34 are patentably distinct over the prior art for at least the reasons set out below.

Independent claims 1 and 34 are rejected under the Backberg '743 reference as being anticipated. In this regard, the Examiner notes the barrier sheets 10 of Backberg as applied to a structural member by a holding system including adhesive 26 provided along edge and intermediate zones.

In reviewing the Backberg disclosure, the panel 10 comprises a decorative finish layer 14 of wood or the like that is attached to a wall surface by the adhesive 26 on the other side. The panel 10 is adhered to one wall surface by adhesive covering the back surface of the panel. In comparison to the presently claimed method, such a method of paneling a wall cannot be read on claims 1 or 34.

Claim 1 requires the step of attaching a barrier sheet to plural different surface as provided on preexisting structure. As emphasized by the current claim amendments, the barrier sheet is attached to a first surface of a first structural element of the preexisting space and then to a second surface of a second structural element of the preexisting space. Clearly, such distinguishes from adhering a panel to one surface of one structural element, a wall. Claim 1 requires the attachment to surfaces of plural distinct (first and second) structural elements. As described in the subject specification on page 12, lines 9 -27, page 13, lines 5 - 10, page 14, lines 21 - 26, in particular, and elsewhere in the subject specification, a barrier sheet is attached along intermediate and edge zones of one major surface to at least one of such plurality of structural components in order to create at least a partial enclosed space. Backberg is completely deficient on this claimed concept. As such, it is submitted that claim 1 is patentably distinct from the Backberg wall panel.

Claim 34 claims the enclosure as it comprises working and non-working surfaces, which, as emphasized by the present amendments, are provided on first and second structural elements. No such distinct surfaces are described in Backberg, and no enclosure is provided as claimed comprising a flexible barrier sheet that together with the working surface provides at least part of an enclosure. Thus, it is also submitted that independent claim 34 is patentably distinct from the Backberg reference.

All claims 1 - 37 are rejected under 35 USC 103 and being obvious over the Griffis '512 reference taken in view of Macormack '743. The Examiner recognizes that the Griffis disclosure is deficient as to any use of adhesive in any way for creating an enclosure out of at least one sheet material. It is also important to note that the Griffis reference, although used as an isolation enclosure for decontamination, is directed to surrounding a ground patch for ground abatement and in no way suggests creating an enclosure within preexisting structure, which preexisting structure includes any surface that can be characterized as a working surface such as for abatement of a physical material. It is understood that this distinguishing point is most relevant to the claimed limitations of independent claims 21 and 34.

The reference to Macormack is relied upon for allegedly disclosing a use of adhesive for attaching barrier sheets to structural elements at end and intermediate zones. However, this is not seen in the Macormack reference, which only teaches the use of an adhesive tape 14 that is used to seal the gap between two adjacent panels 12, as shown in Fig. 3 and described in column 4, lines 47 - 56 and column 5, lines 71 - 74. Macormack discloses nothing more than using a

tape strip adhered to adjacent panel edges to seal the gap between them. How does a disclosure of taping panel edges together provide a teaching to modify the Griffis enclosure to come up with the subject matter of claims 1, 21 and 34? At most, Macormack would teach that the Griffis enclosure could be made up of multiple fabric pieces that can be connected together by tape along adjacent edges. That has nothing to do with how even such fabric pieces are to be attached to structural elements of preexisting structure to create the enclosure. Claim 1 is believed patentably distinct at least in reciting a barrier sheet attached to plural distinct structural elements by an adhesive holding system with edge and intermediate adhesive zones secured to at least one structural element. Claims 21 and 34 further distinguish in the recitation of enclosure features, either by method step or claimed structure, that include working and non-working surfaces as part of an enclosure. Accordingly, independent claims 1, 21 and 34 are believed novel and unobvious over the Griffis and Macormack references alone or in combination with one another.

Accordingly, it is submitted that presently pending claims 1-37 are currently in condition for allowance, a notice of which is earnestly solicited. If the Examiner finds any issue remaining after consideration of this response, the Examiner is invited to contact the undersigned, at the Examiner's convenience, in order to expedite any remaining prosecution.

Respectfully Submitted,

Dated: October 14, 2005

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Amendments to the Drawings

Please introduce the new sheet of drawing attached hereto and including as the only drawing a Fig. 1.